

PROB 12A
(6/21)

United States District Court
for
District of New Jersey
Report on Individual Under Supervision

Name of Individual Under Supervision: David Alvey

Cr.: 18-00047-001
PACTS #: 2343653

Name of Sentencing Judicial Officer: THE HONORABLE KATHARINE S. HAYDEN
SENIOR UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 06/04/2018

Original Offense: Count One: Conspiracy to Commit Wire Fraud, in violation of
18 U.S.C. § 1349 [18 U.S.C. § 1343], a Class C Felony

Original Sentence: 60 months imprisonment, 3 years supervised release

Special Conditions: Special Assessment, Restitution - Money, Substance Abuse Testing, Alcohol
Treatment, Financial Disclosure, Cooperate with IRS, Mental Health Treatment, No New Debt/Credit,
Self-Employment/Business Disclosure, Drug Treatment, Forfeiture

Type of Supervision: Supervised Release

Date Supervision Commenced: 10/01/2022

NONCOMPLIANCE SUMMARY

The individual under supervision has not complied with the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- | | |
|---|--|
| 1 | The individual under supervision has violated the mandatory supervision condition which states ' If your judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of your judgment.' |
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U.S. Probation Officer Action:

On June 4, 2018, following his guilty plea to Conspiracy to Commit Wire Fraud, David Alvey was sentenced in the District of New Jersey to sixty months in prison, followed by three years supervised release. Special conditions include alcohol prohibition, drug testing and treatment, financial disclosure, cooperation with the IRS, mental health treatment, credit/debt restrictions, self-employment/business disclosure, and \$500 monthly payments toward the \$24,024,465.65 restitution obligation.

Since his release on supervision, Mr. Alvey has been supervised in the Middle District of Pennsylvania due to his residence in that district. Currently, he resides with his husband, Enrique Vivas, at 4119 Fawn Drive, Apartment M, Harrisburg, Pennsylvania 17112.

Upon his release from federal incarceration, Mr. Alvey was employed with Blue Link Wireless (February 11, 2022, until November 15, 2022) in a less than a full-time capacity. In September 2023, he commenced full-time employment with Mattress Firm. Due to the initial amount of income received by Mr. Alvey, he was unable to make the required \$500 per month payment to the Clerk of Court. The Financial Litigation Unit (FLU) of the United States Attorney's Office was notified and a completed financial affidavit was provided to them in July of 2022.

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David Alvey

In June 2023, Mr. Alvey provided an updated financial affidavit and corresponding financial documents. This information has been provided to FLU. Based on his new job and his recent marriage, it appears that Mr. Alvey has been in a position, since at least January 2023, to make the ordered minimum monthly payment to the Clerk of Court. When confronted, he admitted that he should have reported his ability to make the minimum monthly payment his assigned officer.


In March of 2023, Mr. Alvey's 2022 income tax refund was seized by FLU. It appears that he is still at least \$2,000 in arrears. The defendant will begin to make catch-up payments for the next six months in the amount of \$330 in addition to the \$500 required payment to the Clerk of Court.

FLU is still in the process of reviewing the financial materials submitted to them in July 2022.

At this time, we are respectfully recommending no Court action be taken. Unless otherwise directed by the Court, the probation officer will continue to closely monitor Mr. Alvey's compliance with his conditions of supervision.

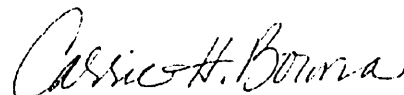
Respectfully submitted,

SUSAN M. SMALLEY, Chief
U.S. Probation Officer


By: KASHIF M. SIMMONS
U.S. Probation Officer

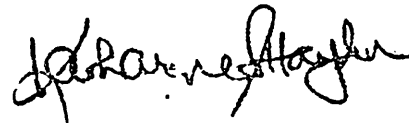
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APPROVED:


CARRIE H. BORONA 10/18/2023
Supervising U.S. Probation Officer Date

Please check a box below to indicate the Court's direction regarding action to be taken in this case:

- ☒ No Formal Court Action to be Taken at This Time (as recommended by the Probation Office)
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other



Signature of Judicial Officer

10/18/2023

Date